

that the article had been shipped in interstate commerce, on or about February 24, March 9, and April 6, 1934, by the Brown-Forman Distillery Co., Inc., from New York, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Old Webwood A Blend of Whiskies", and "Gilded Age A Blend of Whiskies Brown-Forman Distillery Co. Incorporated at Louisville in Kentucky."

It was alleged in the libels that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity, as determined by the test laid down in the said pharmacopoeia official at the time of investigation, and its own standard was not stated on the label.

Misbranding was alleged for the reason that the statement on the label, "For Medicinal Purposes Only", was false and misleading, and for the further reason that the package failed to bear on the label a statement of the quantity or proportion of alcohol contained in the article.

On August 25, 1934, no claimant having appeared, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

22983. Misbranding of D. D. Capsules. U. S. v. 19 Dozen Packages of D. D. Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32749. Sample no. 71265-A.)

Examination of the drug product involved in this case showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On May 24, 1934, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 19 dozen packages of D. D. Capsules at Portland, Oreg., alleging that the article had been shipped in interstate commerce, in part on or about July 20, 1933, by the D. D. Distributing Co., from San Francisco, Calif., in part on or about August 28, 1933, and in part on a date unknown in the year 1933, by the Duray Distributing Co., from Spokane, or Seattle, Wash., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "D. D. Capsules * * * Duray Distributing Co., Domestic Division Seattle, U. S. A."

Analysis of a sample of the article by this Department showed that it consisted essentially of salol, a protein-containing substance, and starch.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the article were false and fraudulent: (Carton) "Have proven successful in High Blood Pressure"; (circular accompanying package) "Before Treatment * * * Systolic, Diastolic, After Treatment Systolic, Diastolic."

On July 5, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

22984. Adulteration and misbranding of whisky. U. S. v. 12 Cases of Whisky. Consent decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. no. 32756. Sample no. 67580-A.)

This case involved a product sold as whisky for medicinal purposes. Examination showed that it failed to conform to the requirements of the United States Pharmacopoeia, and that the packages were not labeled to show the percentage of alcohol by volume.

On May 24, 1934, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 12 cases of whiskey at Hoboken, N. J., alleging that the article had been shipped in interstate commerce, on or about January 6, 1934, by the Frankfort Distilleries, from Baltimore, Md., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Old Vandergrift Whiskey—A Blend Bottled and Blended by the Sherwood Distilling & Distributing Co. Baltimore, Maryland."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and dif-